

REMARKS/ARUGMENTS

The Office Action dated April 30, 2003, has been carefully reviewed and the foregoing amendments to the application have been made in consequence thereof.

Claims 1 and 17 have been amended in order to advance the prosecution of this application. Claims 1 and 17 remain active in this application.

The Examiner rejected claims 1 and 17 under 35 U.S.C. 112, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner stated that what is intended by “history having a reference...” is confusing.

Claims 1 and 17 have been amended to delete the term “history” and to teach external monitoring of a time-temperature exposure, of a product, having a reference of 80°F over three years, and the exposure may vary by increasing the temperature while decreasing the time, and decreasing the temperature while increasing the time. Claims 1 and 17 remain active in this application.

The Examiner rejected claims 1 and 17 under 35 U.S.C. 103(a) as being unpatentable over Taoukis et al. alone or in view of Olsen et al. and either further in view of Applicant’s admitted prior art.

Claims 1 and 17 have been amended to more particularly describe a comparator having color representations of exposures of a product to time and temperature, and for determining the usability status of the exposed product at any point in time during the exposure.

In view of Taoukis et al. and Olsen et al., it is not obvious how a comparator, as described in claims 1 and 17, can be taught by the present invention.

In view of the foregoing remarks, it is believed that Claims 1 and 17, as amended in this application are allowable and Notice to that effect is respectfully solicited.

Should the Examiner wish to contact Applicant's attorney regarding this application, the Examiner is respectfully invited to do so by calling or writing the undersigned in the Office of Counsel, U.S. Army Soldier and Biological Chemical Command, Natick, MA 01760 at (508) 233-4510.

Respectfully submitted,

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Date

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